G R S App Γ IX 4]

1947 -48

File No 91-47

Previous References

(nil)

Serial Nos 56-58

Later References

CM 69249-(1)
CM Y Inc 3511/48-50
— n — 3c 1/48-50
— n — 3c 1/48-50

GENERAL AND REVENUE SECRETARIAT

Serial Nos

three

Part B for Jurisdiction

SUBJECT

License to run a mutton shop at No 4 Gandhi Road Kitchanna Ranganswami temple Street Bangalore city

P L 17577 & 4 6.49.

Mr Commr B' lore city.

Informs that Rs ——

to Sri Hari Rao may be withdrawn by Mr Mr Comm

7195

petitioners from Srimathi Tholasamma and Sri M V Dasanna and others residing at Gandhadi Kalchavya lane, protesting against the grant of a license by the Bangalore city Municipal Council to run a mutton stall at No 7 Gandhadi Kalchayyas lane, Rangaswamy temple Street Bangalore, to one Mr Hari Rao

" orders of the Minister-for city Municipalities

" For a note whether a stay order can be granted "

Sd/- P S Setty

2) The above petitioners have requested the Government to issue a stay order, ~~to~~ to the Municipal Commissioner- Bangalore city, So as not to grant a license to one Mr Hari Rao to run a mutton shop, at No 7 Gandhadi Kalchayyas

lane, Ranganatham temple Street - Bangalore city -

for the following reasons. -

a) That the starting of a mutton shop in a locality where only Vegetarians live, offends the conscience of the persons of the locality

b) That the proposed Mutton Shop will be very near Sri. Ramakrishna Samananda Mutt as per in the locality, which is highly objectionable and unjustified

3) The petitioners have therefore requested the Minister to inspect the Shop and to direct the Municipality not to grant the license to the said Mr Hari Rao

4) The circumstance under which the Bangalore city Municipal Council has decided to grant a license for the location of a

nuisance shall in the said premises inspite of the complaints from certain residents of the locality, is not known

5) Under Sections 51 (1) and 52 of the Mysore city Municipalities Act, 1933, the City Municipal Council has power to make Byelaws for markets, slaughter houses etc A copy of the Bye law framed by the Bangalore City Municipal Council in this behalf is furnished

6) An abstract of Bye Law no 1 - is furnished below--

No place within the limits of the City of Bangalore shall be used as a Market or shop for the Sale of meat, fish or poultry, intended for human food or as a market for the sale of fruits or vegetables Except those mentioned in Bye Law no 2, Provided the Municipal Commissioner shall have power to license Private markets for the sale of fruits or

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Vegetables or retail shops for the sale of meat, fish or poultry in such other places as he may think fit for the purpose, and to withdraw such licenses."

7) Under section 229 (1) the Government have power to cancel or modify bylaws and rules framed by the Municipal Councils

8) As the petitioners have represented that the proposed Multan, site would be located next to the Samanabad Mutt, a stay order may therefore be issued and the connected records called for from the Municipal Town Bureaucracy

9) Refer para 1 supra

10) The grant of a license for running the mutton shop rests to

27/5/48

in the two petitions is regulated
by the bye-laws framed by the
Municipality and approved by the Govt.
A copy thereof is herewith put up
for reference.

11) Under the bye-laws, The power to license such shops
or to withdraw licenses so granted
vests in the Municipal Commissioner
Who is not known whether in this
case a license has been already
granted

12) In view of the circumstances represented
herein, an immediate report may be
called for from the M.C. and
a direction may be issued to that
effect to stop the granting of the
license in question

Specific provision either in the
City rules or the rules under the bye-laws
framed thereunder enabling the Govt
to issue a stay order

new regn 27/5/48

13 In view of the above

* The place being inhabited by respectable persons & proximity of a mutt

Note, it appears desirable to call for an immediate report from the Dist. Comr requesting him to withhold the issue of license pending disposal of these petitions.

14) The Dist. Comr has power to withhold the grant of license, I think, under Bye-law 150 of the Bye-laws of the Municipality

27/5/48

15) I hereby advise the Dist. Comr to withhold the grant of license pending receipt of a detailed report from the Dist. Commissioner and my inspection of the spot.

16) The Dist. Comr be also requested to expedite the submission of his report to avoid delay in the disposal of the case.

Feb K 27/5

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17) [illegible]

27/5/48

To

The Municipal Town Bangalore city

17166 d 27-5-48

— Calls for an immediate report —

From the Municipal Town Bangalore city

Ag C 537 dated 29-5-48

states that the members of the Health

Committee and of the Bangalore city Municipal

Council, have inspected the shop and decided

to grant license to one Sri. Hari Rao to open

a mutton stall in the said locality

18) The above report is for perusal

19) It is seen that the Health Committee and the

city Municipal Council, have resolved to grant

license to open a mutton stall, at premises No 7.

Gandhi Krishna Lane. Bangalore city. Temporarily

subject to the following conditions —

1) the applicant must close his stall immediately

he is notified to the effect that the Municipal

mutton stall is ready

7195 Sq 377

and

2) he should execute an agreement duly registered to the above effect

20) But the petitioners have approached the Government not to sanction a license in the present case, as the place is situated amidst temples and Ramakrishna Ashram and inhabited by orthodox Hindu community

21) This is a matter to be decided after short inspection

22) Refer paras 15 and 16 Supra

4/6/48 23) It is ascertained that the Minister for Agriculture is pleased to inspect the spot two days after reopening

4/6/48

Minister
C. M. S. & Irrig

THE MINISTER FOR CITY MUNICIPALITIES AND MUZRAI
No 2656
Da 7-6-48

24) On the 2nd of the month 8
4/6/48
at inspection the place where a license is prayed to be given by the Municipal Council for opening a mutton stall, along with the President, Vice Commissioner and the H.O. and

found the place fairly well ventilated.
From there I went to Manjipet Mutton market
where I found the mutton stalls not occupied
in disrepair and the Municipal Council
was getting them repaired. I was told by
the Jnl Comm. that the repairs would be
completed within three or four weeks i.e.
before the beginning of the new month.
The Health Committee and the Jnl Council
have been inspected the place and resolved
that licence may be given subject to certain
conditions.

According to proviso to Bye Law No. 1
framed by the Municipality also approved by
the Govt. the Jnl comm. has got power to grant
and to withdraw such licences to the way
to withdraw the licence to be granted to Sri Hanif
and direct him to Manjipet Mutton market
on or before 1-7-48. By that time, according
to Jnl Comm., the repairs to the mutton stalls
will have been completed. As per resolutions
the Health Committee approved by the Jnl Com
a registered Municipality be taken from
the licensee. I pass this order on the opinion of the Health Committee and
Jnl Council.

THE PRINTERS (MADRAS) CITY
2656
7-6-48

8/6/48

28 A draft letter is accordingly submitted.

9/6/48 9.6.48

Issue at once

11/6/48

To

The Chief Secretary Bangalore etc.

No. 17577 A/46-48

Issues instructions accordingly

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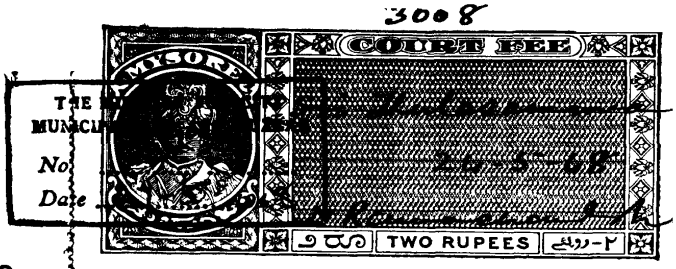
3008



To

The Hon'ble the Minister for City Municipalities
to the Government of His Highness the
Maharaja of Mysore, Bangalore

Petitioner- ml 91-47-56.

Tholasamma,
Sri Ramakrishna Somananda Mutt, No 8,
Gandhidu Kitchayya's lane, Rangaswami Temple Street,
Bangalore City.

**** ******

Re Granting of a license to run a mutton shop at No 7, Gandhudi Kitchayya's lane, Rangaswami Temple Street, Bangalore City to Sri Hari Rao

******

The petitioner abovenamed respectfully begs to state as follows:-

That on an application made by one Sri Hari Rao for the grant of a mutton shop license to run the same at No 7 Gandhudi Kitchayya Lane, Bangalore City, the Municipality in their Council meeting, the petitioner understand have decided to the grant and that in this connection, the petitioner has submitted several petitions protesting against the grant and inspite of this the authorities have overlooked the just and reasonable demands of not only of mine but also the other residents, the council and its officers have completely ignored the requests and the person is to be granted the license

The petitioner respectfully submits that you are well aware the shop in a locality where only vegeterians live, starting a mutton shop offends the conscience of the persons of the locality Since the Municipality is inclined to grant the license, the petitioner has no other alternative than to approach you with this petition to look into the matter and do justice The petitioner has this day also filed another petition - before the The City Municipal authorities not to issue the license sanctioned since the petitioner is moving this Hon'ble Court for the issue of a stay order

In

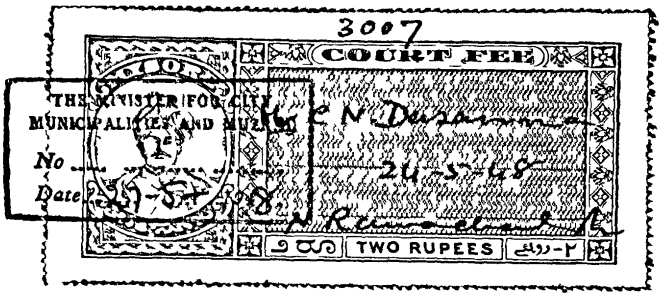
In the circumstances, the petitioner prays that you may be pleased to pay a personal inspection of the place and satisfy yourself as to what has been stated herein.

In the meanwhile, pending disposal of this aux petition, the petitioner prays that the Municipality may be directed not to issue the license to the said Sri Hari Rao pending disposal of this petition and that an endorsement issued to the petitioner as otherwise, the person will snatch away the license and starts his business which will cause grate hardship.

Bangalore City,
24th May 1946

Petitioner.

N B The date and time of the visit if kindly intimated, the petitioner will be able to pay her respects and explain more fully regarding the subject matter



Immediate

Receive Secretary for report

27/5/48

To

The Hon'ble the Minister for City Municipalities to the Government of His Highness the Maharaja of Mysore, Bangalore City.

Petitioners.-

C. N Dasanna and others, residing at Gandhudi Kitchayya Lane, Rangaswami Temple and Kilari Road Street, Bangalore City.

****

Re Granting of a license to run a mutton shop at No 7, Gandhudi Kitchayya's lane, Rangaswami Temple Street, Bangalore City, to one Mr. Hari Rao

****

Sir,

With reference to the above, we have submitted several petitions to the Municipality to all its - officers protesting the granting of a license to run a mutton shop at No 7, Gandhudi Kitchayya's lane, Rangaswami Temple Street, Bangalore City, II Division and that inspite of these protests, the - Municipal Council, we understand have decided to - grant of the license prayed for by the said person Mr Hari Rao completely ignoring the demands of the residents and to please only one person which is far from justification and reasonableness You are also well aware the shop in a locality where only - vegeterian live, starting a mutton shop offends the conscience of the persons of the locality Since the Municipality is inclined to grant the license, we have no other alternative than to approach you with this our humble petition to look into the matter and do justice We have this day written to the Municipality not to issue the license granted by the Council, since we are moving the Hon'ble the - Minister for the grant of a stay

In the circumstances we respectfully pray that you may be pleased to pay a personal inspection of the place and satisfy yourself as to what has been

stated

stated herein.

In the meanwhile, pending disposal of this our humble appeal, we pray that the Municipality may kindly be directed not to issue the license to the said Sri Hari Rao pending disposal of this petition and that an endorsement issued to us, otherwise the person will snatch away the license and starts his busines which will cause us great hardship

Yours faithfully,

Bangalore City,
24th May 1948

C. Nallatamma
B M Sauthramma

N B The date and time of the visit if kindly intimated to us, we have the opportunity to wait for the Minister's arrival and take him round and explain the subject matter

C. Nallatamma
B M Sauthramma

Address -

C N. Dasanna,
No. 186, Kilari Road,
Bangalore City.

Copy

To

h 17166

" 5.1968 petitioner

the H.C. Insl. Jurisdiction

Sir

I am directed to forward herewith a petition dated the 21st May 1968, received from Sri [illegible] praying for the grant of a stay order in respect of the license given by this Office to run a matka shop at No. 7 Ramchandra Bhattacharyya's Lane, Ramkrishna Temple street, Howrah. I am directed to state that a

(i. to be kept with the file)

detailed report may be made
within three days of a request
delay in the receipt of the same.

Pending such a detailed
report on the fully case review of
orders thereon after inspection of the
site by the minister for city affairs &
housing, the grant of the license
in this behalf may be withheld

The matter should be treated
strictly confidential

Secretary
for
Municipal affairs

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

No L 17166 Rev 1

Dated Bangalore, 27. 5 *194* 8

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Revenue Department.

To

The Municipal Commissioner,
Bangalore City.

Sir,

In forwarding herewith, in original (to be kindly returned with the reply), a petition dated the 24th May 1948, received from Sri Tholasamma referred to therein, praying for the grant of a Stay Order, in respect of the license given by the Municipality to run a Mutton Shop at No.7, Gandhudi Kitchayya's lane, Rangaswami Temple Street, Bangalore city, I am directed to state that a detailed report may be submitted within three days, so as to avoid delay in the disposal of the case.

Pending submission of a detailed report on the subject and issue of orders thereon after inspection of the spot by the Minister for City Municipalities and Muzrai, the grant of the license in this behalf may be withheld.

The matter should be treated as extremely urgent.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Revenue Department.

O/c

GENERAL & REVENUE SECRETARIAT
7377
4 JUN 1948
MUNICIPAL BRANCH

No A8 C 537/47

Encs. three only

CITY MUNICIPAL OFFICE,

Bangalore, dated 31st May

FROM

SAFI DARASHAH, Esq, B A,
MUNICIPAL COMMISSIONER,
BANGALORE CITY

To

Syed Abdul Aleem, Esq, B A,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

SIR,

Subject - Opening of a mutton stall in No 7 in Gandhudi Kitchayya's lane, Rangaswamy Temple Street, II Division, Bangalore City and protest petition of Mrs Thulasamma

With reference to your letter No L 17166 dated 27-5-1948 forwarding for report the petition dated 24th instant addressed to the Minister for City Municipalities in the above connection and stating that pending the report and inspection by the Minister, the grant of license for the purpose may be stayed, I have the honour to state as follows -

One Sri Hari Rao had applied for license (on 29-11-1947) to open a mutton stall at the above place, and this was refused by the Health Officer and the Commissioner as the place did not appear to be suitable for the purpose (being very close to the existing Municipal mutton market in the II Division, and also because there was strong protest by some of the neighbours against such a stall being opened at the place)

Subsequently the Health Committee went into the records of the case and visited the spot in question and resolved that the license be granted temporarily until such time as the mutton market (some of the stalls of which had been recently burnt down) had been completely repaired, and that the applicant should shift to that market as soon as a stall there was available for him The matter came up before the Council and an inspection of the spot by the Council was arranged and held The Council resolved unanimously (at the meeting held on 24-5-1948) to approve the decision of the Health Committee

p t o

Copies of the resolutions of the Health Committee and of the Council are enclosed for favour of perusal The matter is now pending in this stage.

The petition (in original) enclosed with your letter under reference is herewith returned as desired

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner.

Forwarded with compliments.

Honorary President

hsr/- 26/6

Proceedings of the meeting of the Bangalore City Municipal Council dated 24-5-1948

---

19 Defd Subj 12/26-4-48 Letter No L 14572 dated 16-3-48 from the Revenue Secretary to Government forwarding a copy of the petition of Mrs Tholasamma protesting against the grant of license for opening a mutton stall in No 7, Gandhudi Kitchiah lane for the opinionm of the Council Also protest application from the residents of the locality against the grant of the said license Also opinion of the Health Committee dated 7-3-1948 and Commissioner's opinion dated 13-3-48 in the matter Also the spot was inspected by the Municipal Council on 23-4-1948

======

Sri N Keshava Iyengar observed that the matter was carefully considered by the Council after spot inspection and they had come to the conclusion that the opinion of the Health Committee granting the license should be approved and that immediate steps be taken to put the Mutton Market in the II Division in proper order

Sri R Subbanna suggested that immediate action may be taken to restore the Municipal Mutton stall within fifteen days

The Commissioner replied that it may not be possible to complete the repairs to the Municipal staff (II Division) which had been burnt down within 15 days but that the repairs would be completed as early as possible say within a month He opined that it was not desirable to open a fresh stall for a temporary period in such close proximity and that the applicant would certainly be given a place in the Municipal Mutton Market when it was ready

Sri Anantharaman suggested that the party may be given the license for the fresh stall now and asked to shift to the Municipal Market soon after it was completed

Messrs G S Devadoss and Dr R Puttanna spoke and said that the opinion of the Health Committee be approved p t o

Proceedings of the Health Committee dated 7th March 1948

19 Petition from the owners of the property bearing No 185 Gandhudi Kitchiah lane, Rangaswamy Temple Street, Bangalore City requesting not to grant mutton stall license to one Mr Hari Rao, at premises No.7, Gandhudi Kitchiah lane, Rangaswamy Temple Street, as the above said place is situated amidst temples and Ramakrishna Ashram and inhabited by orthodax Hindu Community

Resolution - The spot was inspected in detail and the papers perused carefully . It is resolved that the license be granted temporarily subject to the following conditions -

1 The applicant must close his stall immediately he is notified to the effect that the Municipal Mutton Stall is ready,

2 and he shall execute an agreement duly registered to the above effect

Sd/- C A Rama Setty,
Chairman, Health Committee

"Copy"

Municipal Commissioner

L. 17577 / ml 91-47-58.

To 14-6-48

The Municipal Commissioner

Bangalore city

(Through the president)

Subj - Opening of a mutton stall in no 7 in Gandhiji Kutchariyas lane, Rangaswamy temple street II Division Bangalore city and protest-letter of Smt Thulasamma

Sir,

With reference to your letter no A8, C 537/47 dated 29th May 1948 on the above subject, I am directed to state that, in the visit of the food officer during the inspection of the Stall by the Ministers for city Municipalities and Mysore, on 2-6-48, with you, the Municipal president and the Health officer, the license proposed to be granted to Sri. H. Rao may at this place be withdrawn by you, under Bye law no 1 of the Bangalore city Municipality and he may be shifted to Dangalee Mutton market on or before 1-7-48, by which time the

Returns to the Food market ~~with have~~

Completed, ~~as per your letter~~

As per resolution of the Health Committee,
approved by the Municipal Council a registered
Medical also may be taken from the licensee

I have the
honour —
for Revenue Duty
Rs 9 6 45

File No 309-35
Serial Nos 1-2